

REMARKS

Reconsideration of this application is respectfully requested in light of the foregoing amendments and the following remarks.

Status of Application

In the outstanding Office Action, the Examiner objected to Figure 1 and rejected claims 1-9, 11 and 19-25 under 35 U.S.C. § 112 as being indefinite. Claims 6-7 and 26-32 were provisionally rejected under the judicially created doctrine of double patenting. Claims 1-9, 11 and 26-32 were rejected over Lindsey et al. ('383) in view of Lalonde et al. and Fujisaki under 35 U.S.C. § 103(a). Claims 12-18 were allowed and claims 19-25 were indicated as being allowable if amended to overcome the rejection under 35 U.S.C. § 112.

Claims 1-11 and 26-32 have been cancelled without prejudice or disclaimer. Claim 19 has been amended to more particularly define the invention. Claims 33-47 have been added. Thus, claims 12-25 and 33-47 are pending in the application.

Interview

Applicant and applicant's representative thank the Examiner for the courtesies extended during a personal interview held on September 10, 1997. During the interview the two-tiered market and the manner in which a binding offer to sell is transferred to a market and withdrawn were discussed. Applicant submitted that the rejections under 35 U.S.C. § 103(a) were improper and should be withdrawn in view of the discussion and the proposed amendments to the claims.

Objection to the Drawings

The "black boxes" in Figure 1 have been labeled in the proposed drawing correction, which is attached to this Amendment. It is requested that the Examiner's objection be withdrawn and that the attached Figure 1 be substituted for the objected Figure 1.

Rejection under 35 U.S.C. § 112

Applicant has amended claim 19 to more clearly define the invention and to eliminate the deficiencies pointed out by the Examiner. Hence, it is respectfully submitted that the rejection of claims 19-25 be withdrawn.

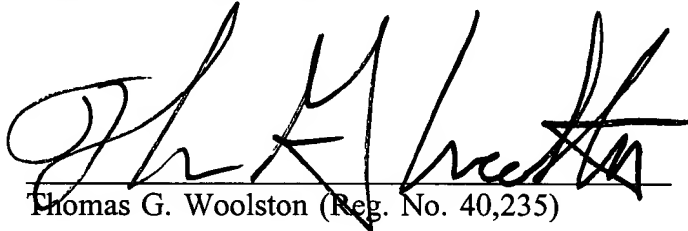
New Claims

New claims 33-47 have been submitted for consideration. Claims 33-40 and 44-47 track claims 19-25 and claims 41-43 track claims 12-18. Since claims 12-18 have been allowed by the Examiner and claims 19-25 are now believed allowable in light of the amendments to claim 19, it is believed that newly submitted claims 33-47 are also allowable.

CONCLUSION

It is respectfully submitted that the foregoing remarks demonstrate that the application as amended is in condition for allowance and prompt notification thereof is requested. If the prosecution of this application can be advanced by a telephone conference, the Examiner is requested to call the undersigned at 202-626-6386. Please apply any charges not covered, or any credits, to Deposit Account No. 06-1050.

Respectfully submitted,



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